

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

Case No: 5:08-hc-02160-BO

GERALD WAYNE TIMMS,	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>MOTION FOR INJUNCTIVE RELIEF</b>
	)	
TRACY JOHNS, Warden, FCI Butner,	)	
	)	
Respondent.	)	
	)	
	)	
	)	
	)	

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NOW COMES Petitioner, Gerald Wayne Timms (hereinafter “Mr. Timms,” “Gerald Timms,” or “Petitioner”), by his undersigned counsel, and moves for injunctive relief from this Court ordering Respondent to remove Mr. Timms from solitary confinement. A memorandum supporting Mr. Timms’ motion is being filed contemporaneously herewith.

Respectfully submitted this the 23rd day of March, 2010.

/s/ Kearns Davis

Kearns Davis

N.C. State Bar No. 22014

/s/ Andrew T. Tripp

Andrew T. Tripp

N.C. State Bar No. 34254

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### **CERTIFICATE OF SERVICE AND FILING**

The undersigned hereby certifies that the foregoing MOTION FOR INJUNCTIVE RELIEF was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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This the 23rd day of March, 2010.

/s/ Andrew T. Tripp  
Andrew T. Tripp